



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

designing men would dispense to deceive you.

"Recollect, that according as you act rightly or wrongly, you establish the honour or fix the disgrace of Spain—every thing depends upon the integrity of the members of the August assembly which is solemnly to declare the immutable principles of justice, and to consecrate before tyrants the hallowed rights of nations.

"This Superior Junta earnestly hopes, considering the importance of the business entrusted to you, and rigidly observing the rules prescribed to you for the election, you will prevent any corrupt interference, and you will preserve in your recollection, that if you are unfaithful, you will do all in your power to promote the eternal disgrace of your posterity.

"By order of the Superior Junta,

"LOUIS-DE GARÇOULO, Sec.

"To Andres Lopez, President.

"Cadiz, June 8, 1810."

SLAVE CAUSE.

PRIVY COUNCIL APPEALS.

On Saturday, the 28th of July, 1810, the lords commissioners of appeals in prize causes finished their sittings for the session, and previous to their adjournment they gave judgment in various received cases of great importance. One of them especially was of the greatest interest to the friends of liberty, and humanity, and its decision was such as will doubtless give great and equal satisfaction in this country and America.

CASE OF THE AMÉDÉE—JAMES JOHNSON, MASTER.

This was a vessel under American colours with slaves from Africa, captured in December, 1807, in the West Indies, and carried into Tortola. The claimant pretended that she was bound to Charleston, South Carolina, where the importation of slaves continued to be lawful to the end of that year; but that having been detained on the coast, and there being no prospect of reaching Charleston before the 1st day of January, 1808, the period appointed for the cessation of the Slave Trade in every part of the United States, by a law of the General Congress, the Master of necessity bore away for the island of Cuba, there to wait directions from his owners.

It was contended, on the other hand, by the captor, that this statement was a mere pretence, and that, in truth, the original plan of the voyage was a destination to Cuba, which was unlawful under the American laws, long previous to their general abolition of the slave trade.

Admitting, however, the case so to be, it was strenuously contended for the

claimant, that a British court of prize had no right to take any cognizance of American municipal law, and that as no belligerent right of this country had been violated, the property ought to be restored to the neutral owner. A series of precedents seemed to support this doctrine.

The ship was condemned at Tortola, and the enslaved Africans were according to our abolition act, restored to their freedom, but the Claimant appealed, and the liberty of the Africans, as well as the property of the ship, depended on the issue of this appeal.

The case was solemnly argued in March last, and as, in the opinion of the court, it turned on the new question of the effect of the American and British abolition acts on this species of contraband commerce, when brought before a court of prize, the case, on account of its importance, has since stood over for judgment. Several other cases of American slave ships have also stood over, as depending on the same general question.

On the above day the judgment of the court was delivered by Sir Wm. Grant, the master of the rolls, nearly in the following terms:—

"This ship must be considered as being employed at the time of capture in carrying slaves from the coast of Africa to a Spanish Colony. We think that this was evidently the original plan and purpose of the voyage, notwithstanding the pretence set up to veil the true intention. The claimant, however, who is an American, complains of the capture, and demands from us the restitution of property of which he alleges that he has been unjustly dispossessed. In all the former cases of this kind, which have come before this court, the slave trade was liable to considerations very different from those which belong to it now. It had at that time been prohibited (as far as respected carrying slaves to the colonies of foreign nations) by America, but by our own laws it was still allowed. It appeared to us therefore, difficult to consider the prohibitory law of America, in any other light than as one of those municipal regulations of a foreign state of which this court could not take any cognizance. But by the alteration, which has since taken place, the question stands on different grounds, and is open to the application of very different principles. The slave trade has since been totally abolished by this country, and our legislature has pronounced it to be contrary to the principles of justice and humanity. Whatever we might think as individuals before, we could not, sitting as judges in a British court of justice, regard the trade in that light, while our own laws permitted it,—

But we can now assert that this trade cannot, abstractedly speaking, have a legitimate existence.

"When I say abstractedly speaking, I mean that this country has no right to control any foreign legislature that may think fit to dissent from this doctrine, and to permit to its own subjects the prosecution of this trade, but we have now a right to affirm that, *prima facie*, the trade is illegal, and thus to throw on claimants the burden of proof that, in respect of them, by the authority of their own laws, it is otherwise. As the case now stands, we think we are entitled to say, that a claimant can have no right upon principles of universal law to claim the restitution in a prize court of human beings carried as his slaves. He must show some right that has been violated by the capture, some property of which he has been dispossessed, and to which he ought to be restored. In this case the laws of the claimant's country allow of no right of property such as he claims. There can, therefore, be no right to restitution. The consequence is, that the judgment must be affirmed."

We congratulate the friends of the oppressed Africans on this important and most satisfactory judgment. It gives a death-blow to the most active contraband dealers in human blood on the coast of Africa, and removes one of the greatest obstacles to the effectual execution of our own laws, for the abolition of the slave trade; for, be it observed, that not the subjects of America only, but of Sweden, and, in short, of all states, which have not expressly legalized this trade, are equally affected by the operation of the principle laid down by the learned judge.

CAUSE OF THE FAILURES.

The facility that has been given to immoderate speculation is the source of the evil. In all periods of our history this has from time to time arisen, and has regularly produced the same effects. If in the year 1797, on the restriction of cash payments at the Bank, the Directors had acted (as they solemnly pledged themselves they would act) in their accustomed way, and still as if they were bound to pay in specie, the present calamity would not have come upon us. But unfortunately the thirst of profit on their parts, and the necessities of the government on the other, which induced ministers to wink at the enormity of the issues of paper, have fostered and encouraged this system to an extent which has brought the present misfortune upon us. But the mischief will cease when the cause of it comes to be thoroughly understood, and when it shall be seen that the remedy is simple and safe.

BELFAST MAG. NO. XXV.

Our readers well know the causes of the convulsion which ended in the cash restriction bill. The unbounded drain for *subsidies*, followed by the alarm of invasion, which gave rise to the orders for taking an account of stock, as a previous measure to *draining* the countries—produced the restriction bill in 1797. At that time the bank reduced its paper to 8½ millions.—By the last returns, their notes in circulation amount to 21 millions! and it is manifest that the paper of the provincial banks has increased in the same proportion.—The natural consequence of this has been, that the facility of credit has raised up a set of adventurers, in opposition to the real merchants, who, instead of supplying the actual necessities of the world, have pushed an artificial trade of mere adventure, to every corner of the inhabited earth, and to force commerce beyond its natural limits, facilities have been given in a way heretofore unknown. Middle men of a new description have started up, and the fair useful trade of banking has been converted into an instrument of goss and pernicious delusion. We have promised to illustrate this matter.

A house, with a sounding firm, charters a ship for South America. They inform the manufacturers that they perfectly know what will answer the market, and if they have any old fashioned cottons, or any old shopkeepers, they may take the opportunity of making a consignment, allowing them a small commission, freight, &c. and they may have an immense profit both on the goods out, and on the return goods home. They may draw on them for the amount, at 12, 18, and 24 months. And they inform them, that there are several houses of the first respectability in London, who on the deposit of those long bills will allow their country banker to draw on them at two months, on a new commission of ten shillings per cent. and that these short bills may be renewed till the returns come. The manufacturer or shopkeeper is delighted with a proposal, by which he is to empty his warehouse or shop for every thing unsaleable, and to be put into immediate possession of paper money, by which he may set all his looms and artisans to work, and refurnish his magazine with an entire new stock. He makes up his packages, charging, however, his goods at double their real value, that they may not be undervalued when they reach the market, and thus he very kindly begins by assisting to cheat himself. The vessel reaches the port, when, lo! the goods are not wanted. The market is already over-stocked. But, rather than return without breaking bulk, the supercargo takes what he can get—half the price charged in the invoice; but still